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RE: DEA Redstone to McClure Pass Trail – 56913

February 21, 2022

TO: Scott Fitzwilliams, WRNF Forest Supervisor, Kevin Warner Aspen-Sopris District Ranger, and Shelly Grail, Aspen-Sopris RD Recreation Manager

Dear Mr. Fitzwilliams, Mr. Warner and Ms. Grail,

The following comments on the Proposed Alternatives and Environmental Impacts of the Proposed Actions are offered based on our intimate knowledge of the resources, geographical area, and Federal NEPA process. We are very aware of both the societal and biological issues in the Crystal River Valley as both citizens and as a professional biologist and an aquatic geographer. Mark is a retired fish biologist with almost 40 years of professional experience and is very knowledgeable about resource issues and the NEPA process. Between 2001 and 2014 he was the White River National Forest West Zone fish biologist based out of Carbondale. He completed his career as a NOAA ESA fish biologist consulting with federal agencies to ensure that their actions did not jeopardize the continued existence of a species, or destroy, or adversely modify designated critical habitat for Snake River salmon. He lived and worked in the Crystal River Valley and was a board member on the Crystal River Caucus. Much of the time spent with the USFS was providing expertise on a wide array of resource issues and completing many habitat restoration projects. He sought and fostered partnerships with many agencies, NGO's and private citizens because collaboration, transparency, and open and honest dialog are key to successful living and projects.

For ten years Sharon was the Watershed Action Director for Roaring Fork Conservancy. She specialized in regional geography, water resources, and aquatic habitat. She has both a B.S. and M.S. in Geography and more than 35 years of experience. Before Sharon started providing GIS expertise for the Roaring Fork Conservancy's Stream Flow Survey Project in 2004, she worked for the Forest Science Department at Oregon State University coordinating and conducting regional GIS analysis for aquatic ecosystems. Sharon is the principal author of the *State of the Roaring Fork Watershed Report* and the *Roaring Fork Watershed Plan*. She oversaw major projects on the Crystal River and spearheaded implementation of the *Roaring Fork Watershed Plan*, and she worked to implement water conservation recommendations from Roaring Fork Conservancy's *Opportunities for Water Conservation* report.

We, Mark Lacy and Sharon Clarke, strongly believe that the piecemeal approach of the Draft EA (trail section by section) does not provide adequate analysis, alternative development, mitigation, and the public input needed for a very controversial and complex natural resource decision. In order to fully understand the environmental costs, impacts, and cumulative effects the USFS should analyze the Carbondale to McClure Trail Project in its entirety. While the plan that the Pitkin County OST prepared provides a lot of planning and information, it does not replace the NEPA process.

Pitkin County OST has expended extensive staff time and public funds preparing the Carbondale to Crested Butte Trail Report, 2018; an associated Environmental Review 2017 (Appendix B) by ERO Resources (an environmental consulting firm); Engineering Plans; and conducting Public Scoping for the Carbondale to McClure section of the trail. This does not replace or substitute for Federal NEPA requirements until an actual project has been proposed. On January 19, 2022 WRNF released the “*Redstone to McClure Pass Trail Project Draft Environmental Assessment*” to the public for a 30-day comment period. We believe that our comments provide valuable additional biological information and professional insight that may not have been used in the analysis or preparation of the Draft EA.

Proposed Design and Construction

There is one design and construction feature that does not comply with either FHWA or USFS multiuse and/or underpass wildlife crossings guidelines (page 13).

1. *“A pedestrian underpass below Highway 133 would be constructed near the top of McClure Pass, consisting of an 8-foot by 8-foot box culvert, about 60 feet long, with associated trail approaches and drainage improvements”.* This is less than half of the minimum recommended size and with a length of 60 feet it will appear to be a “dark tunnel” limiting wildlife use. If the trail were built it should be widened towards the upper size recommended for wildlife passage for a multi-use underpass (FHWA) and possibly towards the minimum if it is solely for wildlife use. Highways Mountain passes are important for migrating ungulates and other wildlife. The proposed box culvert for the trail fragments habitat and creates a pinch point further impacting wildlife movement and/or migration.

Proposed Alternatives and Actions

There are several flaws to the reasoning behind the decision to not analyze the “*Trail on Highway 133 Only*” (page 14).

- 1) *“Based on input from CDOT, several sections of roadway on McClure Pass require frequent maintenance and regrading to manage snow removal, water drainage, and debris accumulation; a parallel trail in these areas would not be compatible with these ongoing maintenance needs.”* This is inconsistent with the Proposed Action where another section of the proposed trail, north of Hays Creek, is within the Hwy 133 ROW.

Secondly, any section of the trail adjacent to Hwy 133 would be closed in the winter due to snow and winter plowing.

- 2) Another reason stated to not analyze the “Trail along Highway 133 is illogical. This statement *“A wide gravel shoulder already exists along most of the McClure Pass highway route – if it provided a comfortable and appealing recreational experience, people would already be using it”* is also incongruent with the proposed Hays Creek section of the trail along Highway 133.
- 3) The final bullet statement *“It does not address existing unmanaged recreational use along the Rock Creek Wagon Road and Old McClure Pass Road, which are known to provide the scenery, setting, and experience that many visitors are looking for”* is misguided. Many users are unaware that their use may cause harm to the area they are enjoying and loving although admittedly, some users don’t care. Without further analysis it is premature to convert these trails and old road segments now on short-sighted, potentially uninformed, recreational user wants.

Both the Rock Creek Wagon Road and Old McClure Pass Road were identified in the 2012 WRNF Travel Management Plan to be decommissioned for reasons such as: impacts to wildlife; habitat fragmentation; sediment delivery impacting habitat and aquatic biota; and insufficient budgets and staffing to maintain additional miles of system trails. Pitkin County protested including these segments in their comments for the 2012 TMP draft, but in the final 2012 TMP decision these trails and roads were included to be decommissioned. Now, based on three years of data showing increased use, they are being proposed as system trails. These data have an inherent bias since they were collected after Pitkin County OST began promoting this route as part of the Crystal River trail. Prior to this, the area was primarily used by hunters in the fall and some hikers and equestrians. While conducting resource inventories in the Bear Creek sub watershed in the mid 2000’s, the aquatic team observed little use.

The proposed trail would be managed by Pitkin County and operated under a Special Use Authorization (SUA) and Memorandum of Understanding (MOU) issued by the Forest Service. The County will manage and maintain the trail because the Forest does not have sufficient staff or budgets to fully analyze, construct, or maintain the seven-mile trail. It is hard to imagine this change in federal land stewardship in the Crystal River Valley. Without further analysis it is premature to convert these trails and old road segments based primarily on recreational user wants. This trail will further fragment critical wildlife habitat and potentially impact other natural resources.

Past, Present, and Reasonably Foreseeable Actions

Past and present activities are part of the existing environment and include the following”:

An oversight that is relevant to this DEA:

- (PCOST) Pitkin County Open Space and Trail from Carbondale to the BRB built in 2010. Council for Environmental Quality (CEQ) has addressed how these activities should be utilized in NEPA decisions.

Environmental Impacts of the Proposed Action and Alternative

Based on our intimate knowledge of this area we feel that the decisions to not analyze Aquatic resources/fishes did not adequately acknowledge potential impacts to these resources. Additionally, we provide several comments pertaining to Wildlife and Recreation.

Aquatic resources/fishes

In the section on *Resources and Issues Dismissed from Detailed Analysis*, Aquatic resources/fishes are dismissed outright (Table 3) for the stated reason “*no resources are present*”. This significant oversight fails to acknowledge, analyze, or address the potential and unintended direct and indirect negative impacts to the significant riparian and aquatic area at Placita. The Crystal River aquatic and riparian habitat reach at Placita has extremely rare and intact low gradient meandering, multi-braided, complex river channels, with adjacent wetland habitats, and a vigorous and diverse riparian plant community providing excellent habitat for a multitude of species while providing quiet and solitude for people.

The area is the most intact, biologically diverse riparian willow carr riverine wetland habitat in the Crystal River watershed between Marble and the confluence with the Roaring Fork River at Carbondale. This area was discussed in the “State of the Roaring Fork Watershed Report, 2008,” and there was a USFS Decision Memo in 2008 to improve the aquatic and terrestrial habitats called the Redstone and Placita Sediment Reduction and Riparian Restoration Project. Almost fourteen years after this restoration project was completed, the positive changes are extensive. The road (N314.2) was decommissioned and reclaimed in 2008 with native vegetation, wetlands are higher functioning and connected, and the floodplain is expanded. A single thread foot path 12 to 24 inches wide provides access for fishing, bird watching, and solitude in nature. The restoration has created more complex habitat for aquatic, avian, and terrestrial species. Recently, Roaring Fork Audubon Society confirmed that breeding great blue herons and the nest first seen after project completion was still active in 2021.

The proposed parking lot will not only be used by the intended trail users but also by people travelling on Hwy 133. Consequently, the river and riparian habitat at Placita will likely see increased use as resting, picnic, and swimming areas. Trail riders will be drawn to the shade and ambiance of the Crystal River and most bicyclists will not leave their bicycles unattended at the parking lot or walk them to the river. The new nearby trail, parking lot, and associated advertising and publicity will undoubtedly increase unauthorized recreational use. The foot only

path (N314.2) will likely become a bandit illegal bicycle trail that will increase sediment delivery into the wetlands and river, degrade water quality, impact riparian vegetation and cause unintended negative impacts on aquatic, avian, and terrestrial species. This area is not suitable for high use, and with no bathroom facilities and dog poop stations the riparian area will become a public toilet. The dramatic increase in disturbance will occur in an area that was restored specifically to improve habitat conditions. An unintended consequence is the small heron rookery could be impacted as well. Considering the small amount of high value low gradient complex meandering channel habitat, functioning floodplain, and wetland habitats located in the Crystal River Watershed, this project could devastate this sensitive area. Unfortunately, signage, enforcement, and monitoring would be temporary and ineffective Band Aids making some people feel like they had done something but doing little for resource protection.

Two streams (streams 4 and 5) discussed in the Water Resource Section of the EA deliver cold water into the wetlands that are within the 2008 habitat restoration project. Intermittent stream 5 delivers water through a highway culvert (just north of the small parking area at the south end of the restoration project) to wetlands on both sides of the old railroad prism and Crystal River. Perennial stream 4 delivers water through a highway culvert north of the CDOT boulder storage area for wetlands on both sides of the rail/road prism and Crystal River. There are ephemeral channels that also deliver water into additional wetlands north of stream 4 to the north end of the restoration project. These streams feed the hyporheic zone. The hyporheic zone¹ (areas of the streambed and near-stream aquifers through which stream water flows), at Placita is a significant contributor to the health of the aquatic ecosystem. This flow creates cold water upwelling areas that regulate diel stream temperature, add nutrients, and provides critical cold water refugia habitat for aquatic species. This hyporheic exchange flow (HEF) provides cold water refugia habitat for trout, whitefish, and sculpins. The wetlands provide excellent lentic habitat for amphibians, birds, terrestrial wildlife while contributing cold water into the Crystal River through HEF. This contributes to some of the best aquatic and riparian habitat between Marble and the confluence with the Roaring Fork River at Carbondale.

Given the sensitive nature of the area and its well-established wildlife value, these disturbances will negatively affect avian and terrestrial wildlife use of the area such as breeding, nesting, feeding, fledging, recruitment and resting behavior. Restoring these values was the primary purpose of the habitat restoration project in 2008. To demonstrate the importance of this type of high value riparian habitat- of the 627 vertebrate species listed in the Colorado Division of Wildlife's database as occurring in the state (including mammals, birds, reptiles, and amphibians), 458 species (73 percent) use riparian, stream, lake, or marsh habitat types for at least some part of the year. More than 80 percent of Colorado breeding birds are dependent on riparian areas. Given these facts and the rarity of this type of habitat in the Crystal River watershed, it is imperative that the high value resources in this area be

¹ The importance of hyporheic flow is extensively studied and documented by USFS research hydrologists in the Aquatic Ecology Management Team (AEM).

protected and not degraded by adding excessive numbers of recreational users. For wildlife this habitat type is a need for survival, for recreationalists it is a want for pleasure.

Wildlife

The data that were collected over the past two to three seasons show increased recreational use. Some potential data biases need to be acknowledged in the interpretation of these data: 1) Use across all public lands has dramatically increased since March of 2020 when the COVID-19 pandemic began and people looked for ways to be healthy and active while enjoying time with their families and friends. This created a huge increase in outdoor recreation, and 2) Pitkin County has actively promoted the Carbondale to Crested Butte trail for many years, especially since the Open Space Board and Staff began their public outreach for trail alignment alternatives. This has generated a lot of interest and curiosity well outside the Crystal River Valley.

Under the Cumulative Effects *“the Proposed Action states when combined with past, present, and reasonably foreseeable future actions in the project area, the Proposed Action would contribute a small amount of human disturbance cumulatively. The proposed CCB – Crystal River Trail is a foreseeable action that could bring additional recreational users to the valley and add an additional trail corridor, while ongoing habitat improvement efforts have the potential to enhance the quality of habitat for wildlife”*. Wouldn't these same habitat improvements continue under the No Action Alternative and be a benefit to wildlife? It seems that continuing habitat improvement projects and monitoring for actual human disturbance in the winter may provide a better answer rather than the speculation that seasonal closures would be a benefit only if the trail is constructed. The wildlife report continues *“The Proposed Action, combined with ongoing activities such as rock scaling on Highway 133 and highway maintenance, would contribute to disturbance of wildlife adjacent to the highway, concentrating impacts close to existing infrastructure”*. Rock scaling and highway maintenance will occur regardless of alternative chosen and linking this to a proposed 0.7 mile new trail does not make logical sense.

Seasonal wildlife closures have limited success at protecting wildlife. This has been well documented by: 1) Wilderness Workshops' Crystal River Trail Report by Richard Thompson, 2) Kevin Wright throughout his career with CPW and letters he submitted to the BOCC in 2015 and 2017, and 3) numerous other professional wildlife biologists.

Safety

According to the Draft EA the trail in this section will be soft side natural surface with a tread width of 18 to 36 inches, cleared height of 8 to 10 feet, and a cleared width of 5 to 6 feet. With a parking lot proposed for Placita and McClure Pass it seems reasonable to assume that this section could be used independently of any other trail section either as an out and back or as a downhill run from McClure to Placita with cars left at both ends to accommodate this activity. Although, this was not analyzed in the Draft EA, it is reasonable to assume that this activity will

occur and be a safety issue. In addition, impacts to wildlife and habitat fragmentation have not been analyzed with this scenario.

Recreation

Under Non System Trails “*Several non-system trails are routes within the project area and are commonly used by recreationists.*

No other prominent non-system trails are known to occur within the project area or in proximity to the proposed trail”.

- Another oversight would be the Carbondale to BRB non-system trail completed in 2010 that is the beginning of the Carbondale to Crested Butte Trail. We believe that this would be considered to be in proximity to the Redstone to McClure pass segment in DEA. A report was prepared by the Crystal River Caucus Trail Task Force that addressed the wildlife and riparian impacts from trail construction.

Conclusions

Based on our analysis we found major flaws and deficiencies in the Draft EA. Additionally, we strongly believe that this piecemeal EA analysis for only seven miles of an 83-mile trail does not acknowledge the complexity or fully analyze significant environmental impacts and cumulative effects and should be withdrawn from consideration. It could be viewed as a blatant and poorly conceived attempt to increase future public support for the highly contentious middle section of the trail by portraying it as an important connection between the BRB and Redstone in an attempt to further justify the trails’ significant economic and environmental costs.

We strongly encourage the WRNF to:

- 1) Complete an EA or EIS for the entire proposed Carbondale to Crested Butte or at a minimum from Carbondale to McClure Pass. All alternatives, such as a Highway 133 ROW alignment, should be fully analyzed for all resources including aquatics;
- 2) Eliminate the parking lot at Placita regardless of alternative chosen;
- 3) Ensure that the Placita riparian, wetland, river complex area continues to receive adequate monitoring and protection of the natural resources;
- 4) Ensure that FHWA and USFS wildlife or multi-use crossing guidelines for underpasses are used to significantly increase the 8 x 8 box culvert identified in the DEA. Recommendation is 40 feet wide by 15 feet tall to a minimum 20 feet wide x 8 feet regardless of alternative chosen;
- 5) Continue to focus resources and foster collaborations to work on new habitat restoration projects throughout the Crystal River watershed by building on past projects such as the restoration work at Placita, Redstone, Coal Basin, and the ongoing Wildlife Habitat Improvement Burn Project.

Thank you for the opportunity to comment.

Mark Lacy and Sharon Clarke

Literature Reviewed

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